

114.1 **ARTICLE 4**

114.2 **BARBERING AND COSMETOLOGY**

114.3 Section 1. Minnesota Statutes 2020, section 154.001, subdivision 2, is amended to read:

114.4 Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established

114.5 to consist of four barber members and one public member, as defined in section 214.02,

114.6 appointed by the governor.

114.7 (b) The barber members shall be persons who have practiced as registered barbers in

114.8 this state for at least five years immediately prior to their appointment; shall be graduates

114.9 from the 12th grade of a high school or have equivalent education, and shall have knowledge

114.10 of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One~~

114.11 ~~of the barber members shall be a member of, or recommended by, a union of journeymen~~

114.12 ~~barbers that has existed at least two years, and one barber member shall be a member of,~~

114.13 ~~or recommended by, a professional organization of barbers.~~

114.14 Sec. 2. Minnesota Statutes 2020, section 154.003, is amended to read:

114.15 **154.003 FEES.**

114.16 (a) The fees collected, as required in this chapter, chapter 214, and the rules of the board,

114.17 shall be paid to the board. The board shall deposit the fees in the general fund in the state

114.18 treasury.

114.19 (b) The board shall charge the following fees:

114.20 (1) examination and certificate, registered barber, \$85;

114.21 (2) retake of written examination, \$10;

114.22 (3) examination and certificate, instructor, \$180;

114.23 (4) certificate, instructor, \$65;

114.24 (5) temporary teacher permit, \$80;

114.25 (6) temporary registered barber, military, \$85;

114.26 (7) temporary barber instructor, military, \$180;

114.27 (8) renewal of registration, registered barber, \$80;

114.28 (9) renewal of registration, instructor, \$80;

114.29 (10) renewal of temporary teacher permit, \$65;

114.30 (11) student permit, \$45;

115.1 (12) renewal of student permit, \$25;

38.1 **ARTICLE 5**

38.2 **STATE GOVERNMENT OPERATIONS**

- 115.2 (13) initial shop registration, \$85;
- 115.3 (14) initial mobile barber shop registration, \$150;
- 115.4 ~~(14)~~ (15) initial school registration, \$1,030;
- 115.5 ~~(15)~~ (16) renewal shop registration, \$85;
- 115.6 ~~(16)~~ (17) renewal school registration, \$280;
- 115.7 (18) renewal mobile barber shop registration, \$100;
- 115.8 ~~(17)~~ (19) restoration of registered barber registration, \$95;
- 115.9 ~~(18)~~ (20) restoration of shop registration, \$105;
- 115.10 ~~(19)~~ (21) change of ownership or location, \$55;
- 115.11 (22) restoration of mobile barber shop registration, \$120;
- 115.12 ~~(20)~~ (23) duplicate registration, \$40;
- 115.13 ~~(21)~~ (24) home study course, \$75;
- 115.14 ~~(22)~~ (25) letter of registration verification, \$25; and
- 115.15 ~~(23)~~ (26) reinspection, \$100.
- 115.16 (c) If the board uses a board-approved examination provider for the entire comprehensive
- 115.17 examination or for a portion of the comprehensive examination, any fees required by that
- 115.18 approved examination provider must be paid directly to the approved examination provider
- 115.19 by the examinee and is not included and is separate from any required fees paid by the
- 115.20 examinee to the board.
- 115.21 Sec. 3. Minnesota Statutes 2020, section 154.01, is amended to read:
- 115.22 **154.01 REGISTRATION MANDATORY.**
- 115.23 (a) The registration of the practice of barbering serves the public health and safety of
- 115.24 the people of the state of Minnesota by ensuring that individuals seeking to practice the
- 115.25 profession of barbering are appropriately trained in the use of the chemicals, tools, and
- 115.26 implements of barbering and demonstrate the skills necessary to conduct barber services in
- 115.27 a safe, sanitary, and appropriate environment required for infection control.
- 115.28 (b) No person shall practice, offer to practice, or attempt to practice barbering without
- 115.29 a current certificate of registration as a registered barber, issued pursuant to provisions of
- 116.1 sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to
- 116.2 ~~154.28~~ this chapter by the Board of Barber Examiners.
- 116.3 (c) A registered barber must only provide barbering services in a registered barber shop
- 116.4 ~~or~~, barber school, or mobile barber shop unless prior authorization is given by the board.

116.5 (d) No person shall operate a barber shop unless it is at all times under the direct
 116.6 supervision and management of a registered barber and the owner or operator of the barber
 116.7 shop possesses a current shop registration card, issued to the barber shop establishment
 116.8 address, ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21,~~
 116.9 ~~and 154.24 to 154.28~~ by the Board of Barber Examiners.

116.10 (e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering
 116.11 without a current certificate of registration as a registered instructor of barbering or a
 116.12 temporary permit as an instructor of barbering, as provided for the board by rule, issued
 116.13 ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24~~
 116.14 ~~to 154.28~~ by the Board of Barber Examiners. Barber instruction must be provided in
 116.15 registered barber schools only.

116.16 (f) No person shall operate a barber school unless the owner or operator possesses a
 116.17 current certificate of registration as a barber school, issued ~~under sections 154.001, 154.002,~~
 116.18 ~~154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber
 116.19 Examiners.

116.20 Sec. 4. Minnesota Statutes 2020, section 154.02, subdivision 1, is amended to read:

116.21 Subdivision 1. **What constitutes barbering.** Any one or any combination of the
 116.22 following practices when done upon the head, face, and neck for cosmetic purposes and not
 116.23 for the treatment of disease or physical or mental ailments and when done for payment
 116.24 directly or indirectly or without payment for the public generally constitutes the practice of
 116.25 barbering within the meaning of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~
 116.26 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter: to shave the face or neck using a straight
 116.27 razor or other tool, trim the beard, clean, condition, cut, color, shape, or straighten the hair
 116.28 of any person of either sex for compensation or other reward received by the person
 116.29 performing such service or any other person; to give facial and scalp massage with oils,
 116.30 creams, lotions, or other preparations either by hand or mechanical appliances; to singe,
 116.31 shampoo the hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics,
 116.32 powders, oils, clays, or lotions to hair, scalp, face, or neck. The removal of hair through the
 116.33 process of waxing is not barbering.

117.1 Sec. 5. Minnesota Statutes 2020, section 154.02, subdivision 4, is amended to read:

117.2 Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate
 117.3 issued to an individual, barber shop, ~~or~~ barber school, or mobile barber shop that is in
 117.4 compliance with ~~the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~
 117.5 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter.

117.6 Sec. 6. Minnesota Statutes 2020, section 154.02, subdivision 5, is amended to read:

117.7 Subd. 5. **Designated registered barber.** The "designated registered barber" is a registered
 117.8 barber designated as the manager of a barber shop or a mobile barber shop.

117.9 Sec. 7. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
 117.10 read:

117.11 Subd. 7. **Mobile barber shop.** A "mobile barber shop" means a barber shop that is
 117.12 operated in a mobile vehicle or a mobile structure for the exclusive use of practicing barbering
 117.13 services performed by a registered barber in compliance with this chapter.

117.14 Sec. 8. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
 117.15 read:

117.16 Subd. 8. **Straight razor.** A razor with a rigid steel cutting blade or a replaceable blade
 117.17 that is hinged to a case that forms a handle when the razor is open for use.

117.18 Sec. 9. Minnesota Statutes 2020, section 154.02, is amended by adding a subdivision to
 117.19 read:

117.20 Subd. 9. **Waxing.** The process of removing hair from a part of the body by applying
 117.21 wax and peeling off the wax.

117.22 Sec. 10. Minnesota Statutes 2020, section 154.05, is amended to read:

117.23 **154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A**
 117.24 **REGISTERED BARBER.**

117.25 ~~(a)~~ A person is qualified to receive a certificate of registration as a registered barber if
 117.26 the person:

117.27 ~~(1) has successfully completed ten grades of education~~ is at least 17 years of age;

117.28 ~~(2) has successfully completed 1,500 hours of study in a board-approved barber school;~~
 117.29 ~~and~~

118.1 ~~(3) has passed an a comprehensive examination conducted by the board in accordance~~
 118.2 ~~with section 154.09 to determine the person's fitness to practice barbering.~~

118.3 ~~(b) A first time applicant for a certificate of registration to practice as a registered barber~~
 118.4 ~~who fails to pass the comprehensive examination conducted by the board and who fails to~~
 118.5 ~~pass a onetime retake of the written examination, shall complete an additional 500 hours~~
 118.6 ~~of barber education before being eligible to retake the comprehensive examination as many~~
 118.7 ~~times as necessary to pass.~~

118.8 Sec. 11. **[154.052] MOBILE BARBER SHOPS.**

118.9 Subdivision 1. **Registration.** (a) No person shall operate a mobile barber shop unless:

118.10 (1) at all times, the mobile barber shop is under the direct supervision and management
 118.11 of a registered barber; and

118.12 (2) the owner or operator of the mobile barber shop possesses a current mobile barber
 118.13 shop registration that was issued by the Board of Barber Examiners.

118.14 Subd. 2. **Services and location reporting requirements.** (a) A mobile barber shop is
 118.15 limited to providing only hair cutting and straight razor shave services.

118.16 (b) A mobile barber shop is subject to the barber shop requirements in this chapter and
 118.17 Minnesota Rules, except when this chapter or the rule conflicts with specific mobile barber
 118.18 shop requirements. Any reference to a barber shop in this chapter and in Minnesota Rules
 118.19 includes mobile barber shops, except when this chapter or the rule conflicts with specific
 118.20 mobile barber shop requirements.

118.21 (c) A mobile barber shop registration holder must:

118.22 (1) maintain a permanent address for receiving correspondence and service of process
 118.23 and provide an address where the mobile barber shop is kept when the mobile barber shop
 118.24 is not in service;

118.25 (2) visibly display the name of the mobile barber shop and the mobile barber shop's
 118.26 registration number as shown on the registration certificate on at least one exterior side of
 118.27 the mobile barber shop;

118.28 (3) supply to the board the make, model, and vehicle identification and license plate
 118.29 number of any vehicle or mobile structure used as a mobile barber shop. Each mobile barber
 118.30 shop registration is valid for only one specific mobile vehicle or mobile structure;

118.31 (4) have a functioning phone available at all times;

119.1 (5) submit to the board, on or before the first day of each month, the mobile barber shop's
 119.2 schedule of locations and times of operation during the month. The mobile barber shop
 119.3 registration holder must report any proposed changes to the schedule to the board via e-mail
 119.4 at the beginning of the week during which the changes will occur; and

119.5 (6) comply with the requirements of all federal, state, and local laws, rules, and
 119.6 ordinances.

119.7 Subd. 3. **Water and wastewater requirements.** (a) A mobile barber shop must have
 119.8 self-contained water holding tanks with gauges that indicate the levels in the tanks and
 119.9 reserve capabilities. The water supply tanks must be integrated and plumbed into the
 119.10 wastewater tanks or gray water tanks.

119.11 (b) A mobile barber shop must have a potable water capacity of not less than 20 gallons
 119.12 and a designated hose that the mobile barber shop only uses to fill the potable water tank.

119.13 (c) A mobile barber shop must have available hot water in a capacity of not less than
 119.14 five gallons or hot water on demand.

- 119.15 (d) A mobile barber shop must have a wastewater tank or gray water tank capacity that
 119.16 is 15 percent larger than the water supply holding tank.
- 119.17 (e) A mobile barber shop must not operate when:
- 119.18 (1) the available potable water supply is insufficient to comply with the infection control
 119.19 requirements in this chapter and Minnesota Rules; or
- 119.20 (2) a tank for wastewater, black water, or gray water is at 90 percent or greater capacity.
- 119.21 (f) A mobile barber shop must have a restroom in operating condition inside of the
 119.22 mobile barber shop that includes:
- 119.23 (1) an installed hand sink with potable water;
- 119.24 (2) soap;
- 119.25 (3) single-use towels; and
- 119.26 (4) a self-contained recirculating flush toilet with a holding tank or a properly maintained
 119.27 composting toilet.
- 119.28 (g) A mobile barber shop must discharge wastewater into a sanitary sewage system or
 119.29 a sanitary dumping station. When disposing of sewage and wastewater, a mobile barber
 119.30 shop must comply with all federal, state, and local environmental and sanitary regulations.
- 120.1 (h) In addition to the sink required in the restroom, the mobile barber shop must have
 120.2 at least one sink with hot and cold running water accessible to persons in the area where
 120.3 the mobile barber shop provides services. Sinks must be permanently installed and connected
 120.4 to the vehicle's or mobile structure's potable water supply and wastewater tanks.
- 120.5 Subd. 4. **Electrical and power requirements.** (a) If power for heating, air conditioning,
 120.6 and other equipment is supplied by a generator, the generator must be properly vented
 120.7 outside and all doors and windows must be closed when the generator is operating to avoid
 120.8 exhaust entering the mobile barber shop. The generator must comply with all applicable
 120.9 municipal noise ordinances.
- 120.10 (b) Liquefied petroleum gas systems installed in the mobile barber shop must comply
 120.11 with the current edition of the National Fire Protection Association Standard No. 58 LP-Gas
 120.12 Code as adopted under the State Fire Code. Use of portable heating units is prohibited.
- 120.13 (c) All heating and cooling systems must be factory installed and meet all state and
 120.14 federal regulations for mobile vehicle or mobile structure heating and cooling.
- 120.15 (d) The mobile barber shop must have working alarms for carbon monoxide, smoke,
 120.16 and combustible gas, either as single alarms or a combined alarm.
- 120.17 (e) All electrical wiring must comply with the State Electrical Code. Electrical equipment
 120.18 plugged into outlets must be UL-listed and must comply with state and local fire codes.

120.19 Subd. 5. **Safety, inspection, and infection control requirements.** (a) In addition to the
 120.20 safety and infection control requirements for barber shops in this chapter and Minnesota
 120.21 Rules, mobile barber shops must comply with the following requirements:

120.22 (1) the mobile barber shop must not provide services unless the mobile barber shop is
 120.23 parked with the engine off, stable, and leveled. The mobile barber shop must use stabilizing
 120.24 jacks when it is recommended by the manufacturer's instructions for the vehicle or mobile
 120.25 structure. The mobile barber shop must use at least two wheel chocks when the mobile
 120.26 barber shop is operating;

120.27 (2) the mobile barber shop must provide all services inside of the vehicle or mobile
 120.28 structure;

120.29 (3) all hazardous substances in the mobile barber shop must be stored upright in secured
 120.30 cabinets when the mobile barber shop is moving;

120.31 (4) the mobile barber shop must have a ventilation system that is sufficient to provide
 120.32 fresh air in the mobile barber shop; and

121.1 (5) all moving parts, including slide outs, disability ramps, and steps must be in good
 121.2 working order.

121.3 (b) Any duly authorized employee of the Board of Barber Examiners shall have authority
 121.4 to enter and inspect a mobile barber shop during normal business hours.

121.5 Subd. 6. **Compliance with local government law.** The mobile barber shop must comply
 121.6 with all city, township, and county ordinances regarding wastewater disposal, commercial
 121.7 motor vehicles, vehicle insurance, noise, signage, parking, commerce, business, and other
 121.8 local government requirements. The mobile barber shop owner must be informed about the
 121.9 requirements that apply to the mobile barber shop in each jurisdiction where the mobile
 121.10 barber shop operates, and must ensure that the mobile barber shop complies with those
 121.11 requirements.

121.12 Sec. 12. Minnesota Statutes 2020, section 154.07, subdivision 1, is amended to read:

121.13 Subdivision 1. **Admission requirements; course of instruction.** No barber school shall
 121.14 be approved by the board unless it the barber school requires, as a prerequisite to admission,
 121.15 ten grades of an approved school or its equivalent, as determined by educational transcript,
 121.16 high school diploma, high school equivalency certificate, or an examination conducted by
 121.17 the commissioner of education, which shall issue a certificate that the student has passed
 121.18 the required examination, and unless it requires, as a prerequisite to graduation, a course of
 121.19 instruction of at least 1,500 hours of not more than ten hours of schooling in any one working
 121.20 day. The course of instruction must include the following subjects: scientific fundamentals
 121.21 for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of
 121.22 the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization
 121.23 and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the

121.24 muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting
121.25 and dyeing the hair; and the chemical waving and straightening of hair.

121.26 Sec. 13. Minnesota Statutes 2020, section 154.08, is amended to read:

121.27 **154.08 APPLICATION; FEE.**

121.28 Subdivision 1. **Application and fee requirements.** Each applicant for an examination
121.29 shall:

121.30 (1) make an application to the Board of Barber Examiners or a board-approved
121.31 examination provider on blank forms prepared and furnished by it, the application to the
122.1 board or the provider. The application must contain proof under the applicant's oath of the
122.2 particular qualifications and identity of the applicant;

122.3 (2) provide all documentation required in support of the application;

122.4 (3) pay to the board the required fee; and

122.5 (4) upon acceptance of the notarized application, present a corresponding
122.6 government-issued photo identification when the applicant appears for the examination;
122.7 and

122.8 (5) file an application with the board no later than the twentieth day of the month
122.9 preceding the month when the practical portion of the exam is administered.

122.10 Sec. 14. Minnesota Statutes 2020, section 154.09, is amended to read:

122.11 **154.09 EXAMINATIONS, CONDUCT AND SCOPE.**

122.12 Subdivision 1. **Examination dates.** The board or a board-approved examination provider
122.13 shall conduct practical examinations of applicants for certificates of registration to practice
122.14 as registered barbers not more than six less than four times each year, at such time and place
122.15 as the board may determine. Additional Written examinations may be scheduled by the
122.16 board and conducted by board staff or a board-approved provider as designated by the board.

122.17 Subd. 2. **Documentation required.** The proprietor owner or operator of a barber school
122.18 must file an affidavit with the board of hours completed by students applying to take the
122.19 registered barber comprehensive examination. Students must complete the full 1,500-hour
122.20 curriculum in a barber school approved by the board within the past four years to be eligible
122.21 for examination. Barber students who have completed barber school more than four years
122.22 prior to application, that have not obtained a barber registration, license, or certificate in
122.23 any jurisdiction must complete an additional 500 hours of barber school education to be
122.24 eligible for the registered barber examination.

122.25 Subd. 3. **Examinations for registration restoration.** Registered barbers that fail An
122.26 individual who fails to renew their the individual's barber registration for four or more years
122.27 are is required to purchase and complete the "Home Study Course for Barbers" program

122.28 that was prepared and approved by the board before the individual is eligible to take the
 122.29 ~~registered barber~~ comprehensive examination to reinstate the individual's registration.

122.30 Subd. 4. **Examinations for individuals seeking reciprocity.** An individual who must
 122.31 pass the comprehensive examination under section 154.11 must purchase and complete the
 123.1 "Home Study Course for Barbers" program that was prepared and approved by the board
 123.2 before the individual is eligible to take the comprehensive examination.

123.3 Subd. 5. **Contents of examination.** The comprehensive examination of applicants for
 123.4 certificates of registration as barbers shall include:

123.5 (1) a practical ~~demonstration~~ portion that consists of: a haircut, and three of the following
 123.6 practical services that the board shall determine: shave, beard trim, shampoo, perm wrap,
 123.7 facial, or color application; and

123.8 (2) a written test. ~~The examination must cover~~ portion that covers the subjects taught in
 123.9 barber schools registered with the board, including as required by this chapter, applicable
 123.10 state statute statutes, and rule rules.

123.11 Subd. 6. **Examination grading.** The comprehensive examination must be graded as
 123.12 follows:

123.13 (1) the grading for the practical portion of the examination must be on a scale of one to
 123.14 100, with 100 representing a perfect score. A score of 75 must be the minimum passing
 123.15 grade for the haircut portion and 75 must be the minimum passing score for the average of
 123.16 the remaining parts of the practical examination; and

123.17 (2) the grading criteria for the written portion of the examination and the passing grade
 123.18 must be established by the board or a board-approved examination provider for each written
 123.19 examination at the time of the examination's preparation. The lowest passing grade
 123.20 established must not be less than 55.

123.21 Subd. 7. **Failure of examination.** (a) An individual who does not pass one portion of
 123.22 the comprehensive examination within a year of passing the other portion of the
 123.23 comprehensive examination must retake the entire comprehensive examination.

123.24 (b) An individual who has failed a portion of the comprehensive examination may retake
 123.25 that portion of the examination within a year of passing the other portion after meeting the
 123.26 requirements of this chapter, paying any required fees and making an application to the
 123.27 board as required by section 154.08.

123.28 Sec. 15. Minnesota Statutes 2020, section 154.11, subdivision 1, is amended to read:

123.29 Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the
 123.30 requirements for barber registration in ~~sections 154.001, 154.002, 154.003, 154.01 to~~
 123.31 ~~154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter and either has a currently
 123.32 active license, certificate of registration, or equivalent as a practicing barber or instructor
 124.1 of barbering as verified from another state or, if presenting foreign country credentials as

124.2 verified by a board-approved professional credential evaluation provider, which in the
 124.3 discretion of the board has substantially the same requirements for registering barbers and
 124.4 instructors of barbering as required by sections 154.001, 154.002, 154.003, 154.01 to
 124.5 154.162, 154.19 to 154.21, and 154.24 to 154.28 in this chapter shall, upon payment of the
 124.6 required fee, be issued a certificate of registration without examination.

124.7 (b) Individuals without a current documented license, certificate of registration, or
 124.8 equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber
 124.9 education as verified by the barber school attended in the other state or if presenting foreign
 124.10 country education as verified by a board-approved professional credential evaluation provider,
 124.11 completed within the previous four years, which, in the discretion of the board, has
 124.12 substantially the same requirements as required in sections 154.001, 154.002, 154.003,
 124.13 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28 this chapter will be eligible for
 124.14 examination.

124.15 (c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject
 124.16 to all the requirements of section 154.05.

124.17 Sec. 16. Minnesota Statutes 2020, section 154.11, is amended by adding a subdivision to
 124.18 read:

124.19 Subd. 4. **Examination of cosmetologists.** a) A person may be credited with up to 1,000
 124.20 hours of study, which in the discretion of the board has curriculum requirements that are
 124.21 equivalent to the requirements in section 154.07 toward the 1,500 hours of study required
 124.22 under section 154.05 if the person:

124.23 (1) has a currently active license as a practicing cosmetologist and the license is verified
 124.24 by the issuing state;

124.25 (2) has a certificate of registration or equivalent as a practicing cosmetologist and the
 124.26 certificate is verified by the issuing state; or

124.27 (3) has credentials as a practicing cosmetologist from a foreign country that are verified
 124.28 by a board-approved professional credential evaluation provider and the board has determined
 124.29 that the foreign country's curriculum requirements are substantially similar to the
 124.30 requirements in section 154.07.

124.31 (b) After a person with credited hours under paragraph (a) completes the remaining
 124.32 required hours in a board-approved barber school and meets the requirement of section
 124.33 154.05, clause (1), the person is eligible for examination.

125.1 Sec. 17. Minnesota Statutes 2020, section 155A.20, is amended to read:

125.2 **155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.**

125.3 (a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ nine members,
 125.4 appointed by the governor as follows:

53.9 Sec. 25. Minnesota Statutes 2020, section 155A.20, is amended to read:

53.10 **155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.**

53.11 (a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ 11 members,
 53.12 appointed by the governor as follows:

125.5 (1) two cosmetologists, one of whom is recommended by a professional association of
 125.6 cosmetologists, nail technicians, and estheticians;

125.7 (2) two school instructors, one of whom is teaching at a public cosmetology school in
 125.8 the state and one of whom is teaching at a private cosmetology school in the state;

125.9 (3) one esthetician;

125.10 (4) one advanced practice esthetician;

125.11 ~~(4) (5) one nail technician; and~~

125.12 (6) one hair technician; and

125.13 ~~(5) (7) one~~ one public member, as defined in section 214.02.

125.14 (b) All cosmetologist, esthetician, and nail technician members must be currently licensed
 125.15 in the field of cosmetology, nail technology, or ~~esthetology~~, esthiology in Minnesota, have
 125.16 practiced in the licensed occupation for at least five years immediately prior to their
 125.17 appointment, be graduates from grade 12 of high school or have equivalent education, and
 125.18 have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and
 125.19 2110.

125.20 (c) Membership terms, compensation of members, removal of members, the filling of
 125.21 membership vacancies, and fiscal year and reporting requirements shall be as provided in
 125.22 sections 214.07 to 214.09. The provision of staff, administrative services, and office space;
 125.23 the review and processing of complaints; the setting of board fees; and other provisions
 125.24 relating to board operations shall be as provided in chapter 214.

125.25 (d) Members appointed to fill vacancies caused by death, resignation, or removal shall
 125.26 serve during the unexpired term of their predecessors.

125.27 **EFFECTIVE DATE.** This section is effective January 1, 2023.

125.28 Sec. 18. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

125.29 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,
 125.30 advanced practice esthetician, hair technician, nail technician ~~practitioner~~, or eyelash
 126.1 technician ~~practitioner~~, and who has a manager license and provides any services under that
 126.2 license, as defined in subdivision 3.

126.3 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.4 Sec. 19. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

126.5 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare
 126.6 and present the theoretical and practical education of cosmetology to persons who seek to
 126.7 practice cosmetology. ~~An instructor must maintain an active operator or manager's license~~
 126.8 ~~in the area in which the instructor holds an instructor's license.~~ As long as an instructor

53.13 (1) two cosmetologists, one of whom is recommended by a professional association of
 53.14 cosmetologists, nail technicians, and estheticians;

53.15 (2) two school instructors, one of whom is teaching at a public cosmetology school in
 53.16 the state and one of whom is teaching at a private cosmetology school in the state;

53.17 (3) one esthetician;

53.18 (4) one advanced practice esthetician;

53.19 ~~(4) (5) one nail technician; and~~

53.20 (6) one hair technician; and

53.21 ~~(5) one~~ (7) three public ~~member~~ members, as defined in section 214.02.

53.22 (b) All cosmetologist, esthetician, advanced practice esthetician, hair technician, and
 53.23 nail technician members must be currently licensed in the field of cosmetology, advanced
 53.24 practice esthiology, hair technology, nail technology, or ~~esthetology~~, esthiology in Minnesota,
 53.25 have practiced in the licensed occupation for at least five years immediately prior to their
 53.26 appointment, be graduates from grade 12 of high school or have equivalent education, and
 53.27 have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and
 53.28 2110.

53.29 (c) Membership terms, compensation of members, removal of members, the filling of
 53.30 membership vacancies, and fiscal year and reporting requirements shall be as provided in
 53.31 sections 214.07 to 214.09. The provision of staff, administrative services, and office space;
 54.1 the review and processing of complaints; the setting of board fees; and other provisions
 54.2 relating to board operations shall be as provided in chapter 214.

54.3 (d) Members appointed to fill vacancies caused by death, resignation, or removal shall
 54.4 serve during the unexpired term of their predecessors.

54.5 **EFFECTIVE DATE.** This section is effective January 1, 2023.

54.6 Sec. 26. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

54.7 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,
 54.8 advanced practice esthetician, hair technician, nail technician ~~practitioner~~, or eyelash
 54.9 technician ~~practitioner~~, and who has a manager license and provides any services under that
 54.10 license, as defined in subdivision 3.

54.11 **EFFECTIVE DATE.** This section is effective January 1, 2023.

54.12 Sec. 27. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

54.13 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare
 54.14 and present the theoretical and practical education of cosmetology to persons who seek to
 54.15 practice cosmetology. ~~An instructor must maintain an active operator or manager's license~~
 54.16 ~~in the area in which the instructor holds an instructor's license.~~ While an instructor holds an

126.9 holds an active instructor license, the board must ensure that the instructor's license as an
 126.10 operator or a salon manager in the same field automatically continues to be active. The
 126.11 board must not assess an instructor any fees for an operator or a salon manager license while
 126.12 an instructor holds an active instructor license.

126.13 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.14 Sec. 20. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

126.15 Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager
 126.16 in the practice of cosmetology, esthiology, advanced practice esthiology, hair technology
 126.17 services, nail technology services, or eyelash technology services.

126.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.19 Sec. 21. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
 126.20 to read:

126.21 Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation,
 126.22 performs personal services for the cosmetic care of hair on the scalp. Hair technician services
 126.23 include cutting hair and the application of dyes, bleach, reactive chemicals, keratin, or other
 126.24 preparations to color or alter the structure of hair. A person who only performs hairstyling
 126.25 as defined by subdivision 19 is not a hair technician.

126.26 **EFFECTIVE DATE.** This section is effective January 1, 2024.

126.27 Sec. 22. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

126.28 Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this
 126.29 subdivision.

126.30 (b) Three-year license fees are as follows:

127.1 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

127.2 (i) \$155 for each initial license; and

127.3 (ii) \$40 for each initial license application fee;

127.4 (2) \$115 renewal of practitioner license, divided as follows:

127.5 (i) \$100 for each renewal license; and

127.6 (ii) \$15 for each renewal application fee;

127.7 (3) \$145 renewal of manager or instructor license, divided as follows:

127.8 (i) \$130 for each renewal license; and

127.9 (ii) \$15 for each renewal application fee;

127.10 (4) \$350 initial salon license, divided as follows:

54.17 active instructor license, the instructor's license as an operator or a salon manager in the
 54.18 same field is automatically renewed without fees with a term ending when the instructor
 54.19 license expires.

54.20 **EFFECTIVE DATE.** This section is effective January 1, 2024.

54.21 Sec. 28. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

54.22 Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager
 54.23 in the practice of cosmetology, esthiology, advanced practice esthiology, hair technology
 54.24 services, nail technology services, or eyelash technology services.

54.25 **EFFECTIVE DATE.** This section is effective January 1, 2024.

54.26 Sec. 29. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
 54.27 to read:

54.28 Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation,
 54.29 performs personal services for the cosmetic care of hair on the scalp. Hair technician services
 54.30 include cutting hair and the application of dyes, bleach, reactive chemicals, keratin, or other
 55.1 preparations to color or alter the structure of hair. A person who only performs hairstyling
 55.2 as defined by subdivision 19 is not a hair technician.

55.3 **EFFECTIVE DATE.** This section is effective January 1, 2023.

55.4 Sec. 30. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

55.5 Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this
 55.6 subdivision.

55.7 (b) Three-year Four-year license fees are as follows:

55.8 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

55.9 (i) \$155 for each initial license; and

55.10 (ii) \$40 for each initial license application fee;

55.11 (2) \$115 renewal of practitioner license, divided as follows:

55.12 (i) \$100 for each renewal license; and

55.13 (ii) \$15 for each renewal application fee;

55.14 (3) \$145 renewal of manager or instructor license, divided as follows:

55.15 (i) \$130 for each renewal license; and

55.16 (ii) \$15 for each renewal application fee;

55.17 (4) \$350 initial salon license, divided as follows:

- 127.11 (i) \$250 for each initial license; and
- 127.12 (ii) \$100 for each initial license application fee;
- 127.13 (5) \$225 renewal of salon license, divided as follows:
- 127.14 (i) \$175 for each renewal; and
- 127.15 (ii) \$50 for each renewal application fee;
- 127.16 (6) \$4,000 initial school license, divided as follows:
- 127.17 (i) \$3,000 for each initial license; and
- 127.18 (ii) \$1,000 for each initial license application fee; and
- 127.19 (7) \$2,500 renewal of school license, divided as follows:
- 127.20 (i) \$2,000 for each renewal; and
- 127.21 (ii) \$500 for each renewal application fee.
- 127.22 (c) Penalties may be assessed in amounts up to the following:
- 127.23 (1) reinspection fee, \$150;
- 127.24 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 127.25 (3) expired practitioner or instructor found on inspection, \$200;
- 127.26 (4) expired salon found on inspection, \$500;
- 127.27 (5) expired school found on inspection, \$1,000;
- 128.1 (6) failure to display current license, \$100;
- 128.2 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 128.3 under section 155A.355, subdivision 1, \$500;
- 128.4 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 128.5 subdivision 2, \$500;
- 128.6 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 128.7 or cosmetology services in a nail salon, \$500;
- 128.8 (10) owner and manager allowing an operator to work as an independent contractor,
- 128.9 \$200;
- 128.10 (11) operator working as an independent contractor, \$100;
- 128.11 (12) refusal or failure to cooperate with an inspection, \$500;
- 128.12 (13) practitioner late renewal fee, \$45; and

- 55.18 (i) \$250 for each initial license; and
- 55.19 (ii) \$100 for each initial license application fee;
- 55.20 (5) \$225 renewal of salon license, divided as follows:
- 55.21 (i) \$175 for each renewal; and
- 55.22 (ii) \$50 for each renewal application fee;
- 55.23 (6) \$4,000 initial school license, divided as follows:
- 55.24 (i) \$3,000 for each initial license; and
- 55.25 (ii) \$1,000 for each initial license application fee; and
- 55.26 (7) \$2,500 renewal of school license, divided as follows:
- 55.27 (i) \$2,000 for each renewal; and
- 56.1 (ii) \$500 for each renewal application fee.
- 56.2 (c) Penalties may be assessed in amounts up to the following:
- 56.3 (1) reinspection fee, \$150;
- 56.4 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 56.5 (3) expired practitioner or instructor found on inspection, \$200;
- 56.6 (4) expired salon found on inspection, \$500;
- 56.7 (5) expired school found on inspection, \$1,000;
- 56.8 (6) failure to display current license, \$100;
- 56.9 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 56.10 under section 155A.355, subdivision 1, \$500;
- 56.11 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 56.12 subdivision 2, \$500;
- 56.13 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 56.14 or cosmetology services in a nail salon, \$500;
- 56.15 (10) owner and manager allowing an operator to work as an independent contractor,
- 56.16 \$200;
- 56.17 (11) operator working as an independent contractor, \$100;
- 56.18 (12) refusal or failure to cooperate with an inspection, \$500;
- 56.19 (13) practitioner late renewal fee, \$45; and

- 128.13 (14) salon or school late renewal fee, \$50.
- 128.14 (d) Administrative fees are as follows:
- 128.15 (1) homebound service permit, \$50 ~~three~~-year fee;
- 128.16 (2) name change, \$20;
- 128.17 (3) certification of licensure, \$30 each;
- 128.18 (4) duplicate license, \$20;
- 128.19 (5) special event permit, \$75 per year;
- 128.20 ~~(6) \$100 for each temporary military license for a cosmetologist, nail technician,~~
- 128.21 ~~esthetician, or advanced practice esthetician one year fee;~~
- 128.22 ~~(7)~~ (6) expedited initial individual license, \$150;
- 128.23 ~~(8)~~ (7) expedited initial salon license, \$300;
- 128.24 ~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and
- 128.25 ~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.
- 128.26 **EFFECTIVE DATE.** This section is effective January 1, 2024.
- 129.1 Sec. 23. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:
- 129.2 Subdivision 1. **Licensing.** A person must hold an individual license to practice in the
- 129.3 state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician,
- 129.4 advanced practice esthetician, manager, or instructor.
- 129.5 **EFFECTIVE DATE.** This section is effective January 1, 2024.
- 129.6 Sec. 24. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:
- 129.7 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses
- 129.8 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with
- 129.9 section 197.4552. A temporary license is valid for a three-year license cycle. An applicant
- 129.10 may only apply once for a temporary license.
- 129.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

- 56.20 (14) salon or school late renewal fee, \$50.
- 56.21 (d) Administrative fees are as follows:
- 56.22 (1) homebound service permit, \$50 ~~three-year~~ four-year fee;
- 56.23 (2) name change, \$20;
- 56.24 (3) certification of licensure, \$30 each;
- 56.25 (4) duplicate license, \$20;
- 56.26 (5) special event permit, \$75 per year;
- 56.27 ~~(6) \$100 for each temporary military license for a cosmetologist, nail technician,~~
- 56.28 ~~esthetician, or advanced practice esthetician one year fee;~~
- 57.1 ~~(7)~~ (6) expedited initial individual license, \$150;
- 57.2 ~~(8)~~ (7) expedited initial salon license, \$300;
- 57.3 ~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and
- 57.4 ~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.
- 57.5 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to licenses
- 57.6 issued or renewed on or after that date.
- 57.7 Sec. 31. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:
- 57.8 Subdivision 1. **Licensing.** A person must hold an individual license to practice in the
- 57.9 state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician,
- 57.10 advanced practice esthetician, manager, or instructor.
- 57.11 **EFFECTIVE DATE.** This section is effective January 1, 2023.
- 57.12 Sec. 32. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:
- 57.13 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses
- 57.14 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with
- 57.15 section 197.4552. A temporary license is valid for a four-year license cycle. The board may
- 57.16 only issue one temporary license to an applicant.
- 57.17 **EFFECTIVE DATE.** The addition of "hair technician" to the list of temporary licenses
- 57.18 is effective January 1, 2023. The setting of the temporary license for a four-year license
- 57.19 cycle and the preclusion on issuing more than one temporary license to an applicant is
- 57.20 effective January 1, 2024.

129.12 Sec. 25. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

129.13 Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of
 129.14 three years. The board may extend a licensee's operator or salon manager license when
 129.15 issuing a new instructor license to the licensee to match expiration dates.

129.16 **EFFECTIVE DATE.** This section is effective January 1, 2024.

129.17 Sec. 26. Minnesota Statutes 2020, section 155A.27, subdivision 10, is amended to read:

129.18 Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail
 129.19 technician, or esthetician, or eyelash technician may be licensed in Minnesota if the individual
 129.20 has completed cosmetology school in a state or country with the same or greater school
 129.21 hour requirements, has an active license in that state or country, and has passed a
 129.22 board-approved theory and practice-based examination, the Minnesota-specific written
 129.23 operator examination for cosmetologist, hair technician, nail technician, or esthetician, or
 129.24 eyelash technician. If a test is used to verify the qualifications of trained cosmetologists,
 129.25 the test should be translated into the nonresident's native language within the limits of
 129.26 available resources. Licenses shall not be issued under this subdivision for managers or
 129.27 instructors.

129.28 (b) If an individual has less than the required number of school hours, the individual
 129.29 must have had a current active license in another state or country for at least three years and
 129.30 have passed a board-approved theory and practice-based examination, and the
 129.31 Minnesota-specific written operator examination for cosmetologist, hair technician, nail
 130.1 technician, or esthetician, or eyelash technician. If a test is used to verify the qualifications
 130.2 of trained cosmetologists, the test should be translated into the nonresident's native language
 130.3 within the limits of available resources. Licenses must not be issued under this subdivision
 130.4 for managers or instructors.

130.5 (c) Applicants claiming training and experience in a foreign country shall supply official
 130.6 English-language translations of all required documents from a board-approved source.

130.7 **EFFECTIVE DATE.** This section is effective January 1, 2024.

57.21 Sec. 33. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

57.22 Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of
 57.23 three four years. The board may extend a licensee's operator or salon manager license when
 57.24 issuing a new instructor license to the licensee so that the operator or salon manager license
 57.25 expires on the same date as the instructor license.

57.26 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
 57.27 issued or renewed on or after that date.

58.1 Sec. 34. Minnesota Statutes 2020, section 155A.27, subdivision 7, is amended to read:

58.2 Subd. 7. **Renewals.** Renewal of license shall be for a period of three four years under
 58.3 the conditions and process established by rule and subject to continuing education
 58.4 requirements of section 155A.271.

58.5 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
 58.6 issued or renewed on or after that date.

130.8 Sec. 27. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
130.9 to read:

130.10 Subd. 11. **Reciprocity for barbers.** A barber who has a currently active registration
130.11 under Minnesota Statutes, chapter 154, may be granted credit, as determined by rule, toward
130.12 the required hours of study required for licensure in cosmetology or hair technology.

130.13 **EFFECTIVE DATE.** This section is effective January 1, 2024.

58.7 Sec. 35. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
58.8 to read:

58.9 Subd. 11. **Reciprocity for barbers.** A barber who has a currently active registration
58.10 under Minnesota Statutes, chapter 154, may be granted credit, as determined by rule, toward
58.11 the required hours of study required for licensure in cosmetology or hair technology.

58.12 **EFFECTIVE DATE.** This section is effective January 1, 2024.

58.13 Sec. 36. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
58.14 to read:

58.15 Subd. 12. **Licenses issued by other United States jurisdictions.** The board shall issue
58.16 a practitioner license in cosmetology, nail technology, or esthiology to a person upon
58.17 application if the applicant meets the following criteria:

58.18 (1) the applicant holds a current and valid occupational license in cosmetology, nail
58.19 technology, or esthiology issued by another state or territory of the United States;

58.20 (2) the applicant has held the occupational license for at least one year;

58.21 (3) the applicant affirms:

58.22 (i) the board in the other state or territory holds the applicant in good standing;

58.23 (ii) the applicant does not have a disqualifying criminal record under the laws of the
58.24 state of Minnesota;

58.25 (iii) the board in no other state or territory revoked the applicant's occupational license
58.26 because of negligence or intentional misconduct related to the applicant's work in the
58.27 occupation;

58.28 (iv) the applicant did not surrender an occupational license because of negligence or
58.29 intentional misconduct related to the applicant's work in the occupation in another state or
58.30 territory; and

59.1 (v) the applicant does not have a complaint, allegation, or investigation pending before
59.2 a regulatory board in another state or territory which relates to unprofessional conduct or
59.3 an alleged crime. If the applicant has a complaint, allegation, or investigation pending, the
59.4 board in Minnesota shall not issue or deny an occupational license to the applicant until the
59.5 complaint, allegation, or investigation is resolved or the applicant otherwise meets the
59.6 criteria for an occupational license in Minnesota to the satisfaction of the board in Minnesota;
59.7 and

59.8 (4) the applicant pays all applicable fees.

- 59.9 Sec. 37. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
 59.10 to read:
- 59.11 Subd. 13. **Notice of decision on application.** The board will provide an applicant with
 59.12 a written decision on an application for a practitioner license within 30 days after receiving
 59.13 a complete application.
- 59.14 Sec. 38. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
 59.15 to read:
- 59.16 Subd. 14. **False statements.** The board may reject an application for a practitioner license
 59.17 or revoke a practitioner license for a false statement in an application.
- 59.18 Sec. 39. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
 59.19 to read:
- 59.20 Subd. 15. **Other licenses allowed.** Nothing in this section shall be construed to prohibit
 59.21 an applicant from applying for an occupational license under another statute.
- 59.22 Sec. 40. **[155A.2705] HAIR TECHNICIAN REQUIREMENTS.**
- 59.23 Subdivision 1. **Application.** A complete application for a hair technician license must
 59.24 include the following:
- 59.25 (1) a completed application form;
 59.26 (2) payment of the fees required by section 155A.25;
 59.27 (3) passing test results no more than one year before submission of the application of
 59.28 the following board-approved tests for the license for a hair technician:
- 59.29 (i) general theory test;
 60.1 (ii) written practical test; and
 60.2 (iii) test on Minnesota Laws and Rules related to providing hair technician services; and
 60.3 (4) proof of completion of training, as required under subdivision 2.
- 60.4 Subd. 2. **Training.** (a) Training required for a hair technician license must be completed
 60.5 at a Minnesota-licensed cosmetology school including an original course completion
 60.6 certificate with the notarized signatures of the school manager or owner documenting the
 60.7 successful completion of the curriculum of 600 hours of training as a hair technician.
- 60.8 (b) Training in general theory must consist of 100 hours of preclinical instruction in the
 60.9 theory of sciences of anatomy, trichology, and chemistry as related to services provided by
 60.10 hair technicians; electricity and light; infection control; and safety procedures related to
 60.11 services provided by hair technicians. Additional training may include clinical instruction
 60.12 and experience in the applied sciences, as determined by each provider.

130.14 Sec. 28. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

130.15 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal
130.16 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,
130.17 advanced practice esthetician, eyelash technician, or salon manager, the applicant must
130.18 complete four hours of continuing education credits from a board-approved continuing
130.19 education provider during the three years prior to the applicant's renewal date. One credit
130.20 hour of the requirement must include instruction pertaining to state laws and rules governing
130.21 the practice of cosmetology. Three credit hours must include instruction pertaining to health,
130.22 safety, and infection control matters consistent with the United States Department of Labor's
130.23 Occupational Safety and Health Administration standards applicable to the practice of
130.24 cosmetology, or other applicable federal health, infection control, and safety standards, and
130.25 must be regularly updated so as to incorporate newly developed standards and accepted
130.26 professional best practices. Credit hours earned are valid for three years and may be applied
130.27 simultaneously to all individual licenses held by a licensee under this chapter.

130.28 ~~(b) Effective August 1, 2017,~~ In addition to the hours of continuing education credits
130.29 required under paragraph (a), to qualify for license renewal under this chapter as an individual
130.30 cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician,
130.31 or salon manager, the applicant must also complete a four credit hour continuing education
131.1 course from a board-approved continuing education provider based on any of the following
131.2 within the licensee's scope of practice:

131.3 (1) product chemistry and chemical interaction;

131.4 (2) proper use and maintenance of machines and instruments;

131.5 (3) business management, professional ethics, and human relations; or

131.6 (4) techniques relevant to the type of license held.

131.7 Credits are valid for three years and must be completed with a board-approved provider of
131.8 continuing education during the three years prior to the applicant's renewal date and may
131.9 be applied simultaneously to other individual licenses held as applicable, except that credits
131.10 completed under this paragraph must not duplicate credits completed under paragraph (a).

131.11 (c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license,
131.12 or an inactive license.

60.13 **EFFECTIVE DATE.** This section is effective January 1, 2023.

60.14 Sec. 41. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

60.15 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal
60.16 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,
60.17 advanced practice esthetician, eyelash technician, or salon manager, the applicant must
60.18 complete four hours of continuing education credits from a board-approved continuing
60.19 education provider during the three four years prior to the applicant's renewal date. One
60.20 credit hour of the requirement must include instruction pertaining to state laws and rules
60.21 governing the practice of cosmetology. Three credit hours must include instruction pertaining
60.22 to health, safety, and infection control matters consistent with the United States Department
60.23 of Labor's Occupational Safety and Health Administration standards applicable to the
60.24 practice of cosmetology, or other applicable federal health, infection control, and safety
60.25 standards, and must be regularly updated so as to incorporate newly developed standards
60.26 and accepted professional best practices. Credit hours earned are valid for three four years
60.27 and may be applied simultaneously to all individual licenses held by a licensee under this
60.28 chapter.

60.29 ~~(b) Effective August 1, 2017,~~ In addition to the hours of continuing education credits
60.30 required under paragraph (a), to qualify for license renewal under this chapter as an individual
60.31 cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician,
60.32 or salon manager, the applicant must also complete a four credit hour continuing education
61.1 course from a board-approved continuing education provider based on any of the following
61.2 within the licensee's scope of practice:

61.3 (1) product chemistry and chemical interaction;

61.4 (2) proper use and maintenance of machines and instruments;

61.5 (3) business management, professional ethics, and human relations; or

61.6 (4) techniques relevant to the type of license held.

61.7 Credits are valid for three four years and must be completed with a board-approved provider
61.8 of continuing education during the three four years prior to the applicant's renewal date and
61.9 may be applied simultaneously to other individual licenses held as applicable, except that
61.10 credits completed under this paragraph must not duplicate credits completed under paragraph
61.11 (a).

61.12 (c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license,
61.13 or an inactive license.

61.14 **EFFECTIVE DATE.** The addition of "hair technician" to the list of practitioners
61.15 requiring continuing education credits is effective January 1, 2023. The change to the period
61.16 of validity for credit hours earned and the period in which the credits must have been earned
61.17 from three to four years is effective January 1, 2024.

131.13 Sec. 29. Minnesota Statutes 2020, section 155A.29, subdivision 1, is amended to read:

131.14 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation
 131.15 unless the services are provided by a licensee in a licensed salon or as otherwise provided
 131.16 in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician~~
 131.17 ~~salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold~~
 131.18 ~~more than one type of salon license.~~

131.19 Sec. 30. Minnesota Statutes 2020, section 155A.30, subdivision 2, is amended to read:

131.20 Subd. 2. **Standards.** The board shall by rule establish minimum standards of course
 131.21 content and length specific to the educational preparation prerequisite to testing and licensing
 131.22 as cosmetologist, hair technician, esthetician, ~~and~~ advanced practice esthetician, nail
 131.23 technician, and eyelash technician.

131.24 **EFFECTIVE DATE.** This section is effective January 1, 2024.

131.25 Sec. 31. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

131.26 Subd. 3. **Applications.** Application for a license shall be prepared on forms furnished
 131.27 by the board and shall contain the following and such other information as may be required:

131.28 (1) the name of the school, together with ownership and controlling officers, members,
 131.29 and managing employees;

132.1 (2) the specific fields of instruction which will be offered and reconciliation of the course
 132.2 content and length to meet the minimum standards, as prescribed in subdivision 2;

132.3 (3) the place or places where instruction will be given;

132.4 (4) a listing of the equipment available for instruction in each course offered;

132.5 (5) the maximum enrollment to be accommodated;

132.6 (6) a listing of instructors, all of whom shall be licensed as provided in section 155A.27,
 132.7 subdivision 2, except that any school may use occasional instructors or lecturers who would
 132.8 add to the general or specialized knowledge of the students but who need not be licensed;

132.9 (7) a current balance sheet, income statement or documentation to show sufficient
 132.10 financial worth and responsibility to properly conduct a school and to assure financial
 132.11 resources ample to meet the school's financial obligations;

61.18 Sec. 42. Minnesota Statutes 2020, section 155A.29, subdivision 1, is amended to read:

61.19 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation
 61.20 unless the services are provided by a licensee in a licensed salon or as otherwise provided
 61.21 in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician~~
 61.22 ~~salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold~~
 61.23 ~~more than one type of salon license.~~

61.24 **EFFECTIVE DATE.** This section is effective July 1, 2024.

61.25 Sec. 43. Minnesota Statutes 2020, section 155A.29, subdivision 4, is amended to read:

61.26 Subd. 4. **Renewal.** Licenses shall be renewed every ~~three~~ four years by a process
 61.27 established by rule.

61.28 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
 61.29 issued or renewed on or after that date.

62.1 Sec. 44. Minnesota Statutes 2020, section 155A.30, subdivision 2, is amended to read:

62.2 Subd. 2. **Standards.** The board shall by rule establish minimum standards of course
 62.3 content and length specific to the educational preparation prerequisite to testing and licensing
 62.4 as cosmetologist, esthetician, ~~and~~ advanced practice esthetician, nail technician, and eyelash
 62.5 technician.

62.6 **EFFECTIVE DATE.** This section is effective January 1, 2024.

62.7 Sec. 45. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

62.8 Subd. 3. **Applications.** Application for a license shall be prepared on forms furnished
 62.9 by the board and shall contain the following and such other information as may be required:

62.10 (1) the name of the school, together with ownership and controlling officers, members,
 62.11 and managing employees;

62.12 (2) the specific fields of instruction which will be offered and reconciliation of the course
 62.13 content and length to meet the minimum standards, as prescribed in subdivision 2;

62.14 (3) the place or places where instruction will be given;

62.15 (4) a listing of the equipment available for instruction in each course offered;

62.16 (5) the maximum enrollment to be accommodated;

62.17 (6) a listing of instructors, all of whom shall be licensed as provided in section 155A.27,
 62.18 subdivision 2, except that any school may use occasional instructors or lecturers who would
 62.19 add to the general or specialized knowledge of the students but who need not be licensed;

62.20 (7) a current balance sheet, income statement or documentation to show sufficient
 62.21 financial worth and responsibility to properly conduct a school and to assure financial
 62.22 resources ample to meet the school's financial obligations;

132.12 (8) other financial guarantees which would assure protection of the public as determined
132.13 by rule; and

132.14 (9) a copy of all written material which the school uses to solicit prospective students,
132.15 including but not limited to a tuition and fee schedule, and all catalogues, brochures and
132.16 other recruitment advertisements. Each school shall annually, on a date determined by the
132.17 board, file with the board any new or amended materials which it has distributed during the
132.18 past year, written materials that the school will use for prospective student enrollment,
132.19 including the enrollment contract, student handbook, and tuition and fee information.

132.20 **EFFECTIVE DATE.** This section is effective January 1, 2024.

132.21 Sec. 32. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

132.22 Subd. 4. **Verification of application.** Each application shall be signed and certified to
132.23 under oath by the proprietor if the applicant is a proprietorship, by the managing partner if
132.24 the applicant is a partnership, or by the authorized officers of the applicant if the applicant
132.25 is a corporation, association, company, firm, society or trust, except that schools in the
132.26 Minnesota State Colleges and Universities system and secondary schools must provide a
132.27 signature from the dean, principal, or other authorized signatory.

132.28 **EFFECTIVE DATE.** This section is effective January 1, 2024.

132.29 Sec. 33. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

132.30 Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than
132.31 ten hours per day per student.

133.1 (b) Instruction must be given within a licensed school building except as provided for
133.2 in paragraph (c). Online instruction is permitted for board-approved theory-based classes.

62.23 (8) other financial guarantees which would assure protection of the public as determined
62.24 by rule; and

62.25 (9) a copy of all written material which the school uses to solicit prospective students,
62.26 including but not limited to a tuition and fee schedule, and all catalogues, brochures and
62.27 other recruitment advertisements. Each school shall annually, on a date determined by the
62.28 board, file with the board any new or amended materials which it has distributed during the
62.29 past year, written materials that the school will use for prospective student enrollment,
62.30 including the enrollment contract, student handbook, and tuition and fee information.

62.31 **EFFECTIVE DATE.** This section is effective January 1, 2024.

63.1 Sec. 46. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

63.2 Subd. 4. **Verification of application.** Each application shall be signed and certified to
63.3 under oath by the proprietor if the applicant is a proprietorship, by the managing partner if
63.4 the applicant is a partnership, or by the authorized officers of the applicant if the applicant
63.5 is a corporation, association, company, firm, society or trust, the school administrator. For
63.6 purposes of this section, "school administrator" means the proprietor, if the applicant is a
63.7 proprietorship; the managing partner, if the applicant is a partnership; the authorized officers,
63.8 if the applicant is a corporation, association, company, firm, society, or trust; or, the dean,
63.9 principal, or other authorized signatory, if the applicant is a school in the Minnesota State
63.10 Colleges and Universities system or a secondary school.

63.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

63.12 Sec. 47. Minnesota Statutes 2020, section 155A.30, subdivision 6, is amended to read:

63.13 Subd. 6. **Fees; renewals.** (a) Applications for initial license under sections 155A.21 to
63.14 155A.36 shall be accompanied by a nonrefundable application fee set forth in section
63.15 155A.25.

63.16 (b) License duration shall be three four years. Each renewal application shall be
63.17 accompanied by a nonrefundable renewal fee set forth in section 155A.25.

63.18 (c) Application for renewal of license shall be made as provided in rules adopted by the
63.19 board and on forms supplied by the board.

63.20 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
63.21 issued or renewed on or after that date.

63.22 Sec. 48. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

63.23 Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than
63.24 ten hours per day per student.

63.25 (b) Instruction must be given within a licensed school building except as provided for
63.26 in paragraph (c). Online instruction is permitted for board-approved theory-based classes.

- 133.3 Instruction may be given online for theory-based portions of a board-approved curriculum.
 133.4 Practice-based ~~classes~~ portions of a board-approved curriculum must not be given online.
- 133.5 (c) Schools may offer field trips outside of a licensed school building if the field trips
 133.6 are related to the course curriculum for industry educational purposes.
- 133.7 Sec. 34. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING**
 133.8 **GROUP.**

- 133.9 The board shall establish a working group to study and report to the legislative committees
 133.10 with jurisdiction over the Board of Cosmetologist Examiners by January 1, 2024, on:
- 133.11 (1) evaluating the salon manager license and school manager license;

- 63.27 Instruction may be given online for theory-based portions of a board-approved curriculum.
 63.28 Practice-based ~~classes~~ portions of a board-approved curriculum must not be given online.
- 63.29 (c) Schools may offer field trips outside of a licensed school building if the field trips
 63.30 are related to the course curriculum for industry educational purposes.
- 63.31 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 69.1 Sec. 58. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING**
 69.2 **GROUP.**
- 69.3 Subdivision 1. **Membership.** The board of cosmetologist examiners licensing working
 69.4 group consists of the following 13 members:
- 69.5 (1) the executive director of the Minnesota Board of Barber Examiners;
 69.6 (2) the executive director of the Minnesota Board of Cosmetologist Examiners;
 69.7 (3) one licensed salon owner, appointed by the Salon and Spa Professional Association;
 69.8 (4) one representative of a cosmetology school, appointed by Education Exchange of
 69.9 Minnesota;
- 69.10 (5) a representative of practitioners regulated by the Board of Cosmetologist Examiners,
 69.11 appointed by the Beauty Certified Educator Association;
- 69.12 (6) one state employee from another state agency that works with health and safety
 69.13 issues, appointed by the governor;
- 69.14 (7) two members of the public who use cosmetology services, appointed by the governor;
 69.15 (8) one member of the public who is a stakeholder with respect to cosmetology services;
 69.16 (9) two senators, one appointed by the majority leader and one appointed by the minority
 69.17 leader; and
- 69.18 (10) two members of the house of representatives, one appointed by the speaker of the
 69.19 house and one appointed by the minority leader.
- 69.20 Subd. 2. **Duties; report.** (a) The working group must submit a report to the chairs and
 69.21 ranking minority members of the legislative committees with jurisdiction over state
 69.22 government finance and policy by February 15, 2023. The report must:
- 69.23 (1) evaluate the recommendations in the 2021 Office of the Legislative Auditor program
 69.24 evaluation titled Board of Cosmetology Licensing and recommend whether and how to
 69.25 adopt the recommendations;
- 69.26 (2) evaluate the salon manager license and school manager license;

- 133.12 (2) evaluating the scope and requirements for special event services and homebound
- 133.13 services permits and considering merging both permits; and
- 133.14 (3) evaluating an endorsement-based licensing structure.
- 133.15 Sec. 35. **REVISOR INSTRUCTION.**
- 133.16 The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board of
- 133.17 Cosmetology" wherever it appears in Minnesota Statutes.
- 133.18 Sec. 36. **REPEALER.**
- 133.19 Minnesota Rules, parts 2100.2500; 2100.2600; 2100.2900; 2100.3000; and 2100.3200,
- 133.20 are repealed.

- 69.27 (3) evaluate the scope and requirements for special event services and homebound
- 69.28 services permits and considering merging both permits; and
- 69.29 (4) evaluate an endorsement-based licensing structure.
- 70.1 (b) The report must include draft legislation to implement the recommendations of the
- 70.2 working group.
- 70.3 Subd. 3. **Meetings; chair.** (a) The executive director of the board of cosmetologist
- 70.4 examiners must convene the first meeting of the working group by September 15, 2022. At
- 70.5 the first meeting, the members must elect a chair. Subsequent meetings of the working group
- 70.6 must be convened by the chair or the chair's designee.
- 70.7 (b) The working group may conduct meetings remotely.
- 70.8 (c) The chair shall be responsible for document management of materials for the working
- 70.9 group.
- 70.10 Subd. 4. **Compensation; reimbursement.** Members appointed under subdivision 1,
- 70.11 clauses (2) through (6) may be compensated and reimbursed for expenses as provided in
- 70.12 Minnesota Statutes, section 15.0575, subdivision 3.
- 70.13 Subd. 5. **Administrative support.** The Board of Cosmetologist Examiners must provide
- 70.14 administrative support and meeting space to the working group.
- 70.15 Subd. 6. **Expiration.** The working group expires February 16, 2023, or the day after
- 70.16 submitting the report required in subdivision 2, whichever occurs earlier.
- 70.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 73.3 Sec. 65. **REVISOR INSTRUCTION.**
- 73.4 (a) The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board
- 73.5 of Cosmetology" wherever it appears in Minnesota Statutes.
- 73.8 (c) The revisor of statutes is directed to change all cross-references to Minnesota Statutes,
- 73.9 section 155A.27, subdivision 10, to Minnesota Statutes, section 155A.28, subdivision 12.
- 73.13 Sec. 66. **REPEALER.**
- 73.18 (d) Minnesota Statutes 2020, section 155A.27, subdivision 10, is repealed.
- 73.19 (e) Minnesota Rules, part 2105.0183, is repealed.